

UNITED STATE DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

THE CINCINNATI INSURANCE CO.,)
)
Plaintiff/Counter Defendant,)
)
) No. 2:08-CV-240
) (GREER/SHIRLEY)
V.)
)
CROWN LABORATORIES, INC.,)
)
Defendant/Counter Claimant.)

SUPPLEMENT TO REPORT AND RECOMMENDATION

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and the order of the District Judge [Doc. 81] referring Crown Laboratories, Inc.'s Motion to Compel Complete Answers to Interrogatories and Complete Responses to Request to Produce [Doc. 52] to this Court for report and recommendation.

The parties have brought to the Court's attention both a typographical error in the Court's initial Report and Recommendation and an error based upon the mislabeling of documents in the privilege log. The reasoning and legal analysis contained in the Court's Report and Recommendation remains unchanged. However, the Court **RECOMMENDS** the District Judge order that:

1. Cincinnati Insurance Company ("Cincinnati") **PRODUCE** Documents 1-13;
2. Cincinnati **NOT** be required to **PRODUCE** Document 14;
3. Cincinnati **PRODUCE** Documents 15-28;
4. Cincinnati **NOT** be required to **PRODUCE** Document 29-33;

5. Cincinnati **PRODUCE** Documents 34-38, which are the contents of an email chain composed between July 30, 2008 and July 31, 2008; and
5. Cincinnati **NOT** be required to **PRODUCE** Documents 39-49.

In light of this supplement, the Court will reopen the time for objections. The parties may file their final objections to this Supplement and the original Report and Recommendation [Doc. 107], within fourteen (14) days of the entry of this supplement. Fed. R. Civ. P. 72(b)(2).

Respectfully Submitted,

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge